

The C A S E of HUGH SPEKE, Esq; and Family, viz.

Imprimis.



HA T the said HUGH SPEKE was taken up on a Letter that was written to Sir Robert Atkins, late Ld. Ch. Baron of the Exchequer, concerning the Death of the then Earl of Essex, and was kept 18 Weeks in the Custody of a Messenger, with a continual Guard of Two Soldiers upon him Day and Night; That in Michaelmas Term following, he gave Bail for his Appearance at the Court of Queens Bench.

That in the space of four or five Days after he had given Bail, as aforesaid, he was Arrested in his Bar-Gown at Westminster-Hall-Gate, in an Action of *Scandalum Magnum* for 100000*l.* at the Suit of the then James Duke of York, and so carried from

A thence

thence to the *Gate-House* in *Westminster*; the Defence of which Malicious Action cost him above 1000*l.* and after he had used all the Means he could to bring it to a Tryal, been at great Charges in bringing his Witnesses out of several Counties, and been at all the Expences that possibly he could be put unto; then they durst not Try the Cause, but the very Night before the Cause should have been Try'd, they countermanded the Tryal thereof.

That on the aforesaid Letter, written to Sir *Robert Atkins*, touching the Death of the then Earl of *Essex*, he was Try'd before the Late Lord Chief Justice *Jefferies*, and Fin'd 1000*l.* and to find Sureties for his Good Behaviour; on which account he lay Prisoner above Four Years, before any Terms could be obtained for Payment thereof, otherwise, than as hereafter mentioned.

That *Charles Speke*, his younger Brother, had an Office and Chambers in *Lincolns-Inn*, which cost much above 2000*l.* and was *Philizar* for the Counties of *Devon*, *Dorset*, *Somerset*, *Bristol* and *Poole*, which is an Office in the Law for Term of Life; who was taken up on pretence of Assisting the Duke of *Monmouth*, and immediately after his Seizure, the then Lord *Jefferies* begg'd a Grant of the said Office of King *James*,

James, and under Colour of the Business in the *West*, to make sure of the said Office, the said Jefferies Try'd, Condemn'd, and had him Executed, on whose Attainder his said Office and Chambers became forfeited ; but in the beginning of King *William's* Reign his said Attainder was Revers'd, before the then Lord Chief Justice *Holt* ; whereupon the said *Charles* his Innocency clearly appear'd ; yet no Restitution was ever made of the said Office or Chambers, tho' of the Value aforesaid.

That *George Speke*, his Father, was Try'd at *Wells*, Summer-Assizes, (in 1686.) before Baron *Jenner* for a Riot, on pretence of Rescuing Sir *John Trenchard*, his Son-in-Law, from a Messenger that came to his House at Midnight to apprehend his said Son-in-Law, on a Warrant from the then Secretary of State ; neither was the said *George* Fin'd in Court after his said *Tayal*, but the same was respited, the better to Effect a Design against him, until *Michaelmas* Term following, and then the Lord Chief Justice *Wright* Fin'd him 2000 Marks, and also to find Sureties for his good Behaviour.

That the Fines of the said *George* and *Hugh Speke*, were both but 2327*l.* 6*s.* 8*d.* yet he was forced to Deposit into King *James's* Exchequer the Sum of 5000*l.* which is 2672*l.* 13*s.* 4*d.* more

than the Fines amounted to, and which was unjustly Extorted, notwithstanding he had suffer'd the Pains of above Four Years Imprisonment ; and not only lost all his Practice in the Law, as Barrister, but his Estate, Substance, and all other his Affairs were quite run to Ruin and Destruction.

That the said 5000 *l.* so paid into the aforesaid Exchequer, was appropriated, by King *James* himself, to be laid out on the Fortifications of *Portsmouth*, and that the same was immediately laid out thereon ; and that her present Majesty now fully enjoys, and hath the same Benefit and Advantage thereof, in every Respect, as King *James* or King *William* had.

That the said Fines were not only Excessive, and against Law, but were impos'd to cover a further Design, which afterwards perfectly appear'd ; for the said *Hugh Speke* having given notice to pay the same, such Demands were made of Recognizances, with very extraordinary Sureties, of the Penalty of 10000 *l.* for his Behaviour, during Life, and for the like in 20000 *l.* for his Father. And notwithstanding they could have satisfy'd the same, yet at that time of Day, they could not tell how small a Matter might be look'd upon as a Breach of Behaviour ; so he rather chose to lie in Prison than to endanger his Friends under such

such great Penalties. But did at last comply with King James's most Extravagant Demands, of having Five Thousand Pounds for his Pardon, rather than give the said Securities demanded ; and especially seeing King James did at the same time promise to repay the said Five Thousand Pounds, with all the Charge and Expences thereof, in Two Years Time, if he found my Self, and Family, did not do any thing to disserve his Interest, as he was pleased to express himself ; And in the mean Time, the said Five Thousand Pounds was appropriated to the aforesaid Publick use, and was so laid out thereon.

That the said *Hugh Speke* having petition'd her Majesty, on this his Case, She refer'd the same to the Lord Godolphin, then Lord High Treasurer of England, who made Her Majesty the following Report thereon ;

May

May it please your Majesty,

IN Obedience to Your Majesty's Command, signified to me by Sir Charles Hedges, Knight, One of Your Majesty's Principal Secretaries of State, upon the Annex'd Petition of Hugh Speke; I have consider'd the said Petition; and for the better informing of my self of the Petitioner's Case, have refer'd the same to William Borret Esq; Sollicitor for the Affairs of the Treasury, who having Examin'd the Petitioner's several Allegations, hath made his Report to me thereupon, by which I find the Matters of Fact, contain'd in the Petitioner's Case, are True, and that he hath been a Great Sufferer; and that there was Five Thousand Pounds paid into the Exchequer of Your Majesty's Late Royal Father, for his, and others Pardons, tho' the Two FINE S of the PETITIONER, and his Father, were both but Two Thousand Three Hundred Twenty Seven Pounds, Six Shillings, and Eight Pence; And that there was not any Prosecution against either of the other Three Persons (viz.) Mary Speke, John Speke and Mary Jennings, included in the said Pardon; so that it appears to me, by Mr. Borret's Report, that there was paid the Sum of Two Thousand, Six Hundred, Seventy Two Pounds, Thirteen Shillings, and Four Pence, more than both their said Two Fines

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Fines amounted to; And I am of Opinion the Petitioner is become a Real Object of Compassion.

Humbly Submitting the same to Your Majesty's Great Wisdom.

Dated at the Treasury-

Chamber the 26th of

May, 1703.

Godolphin.

Which Report was Read to Her Majesty at Windsor, by Sir Charles Hedges, at a Cabinet Council held there, on Sunday the 6th Day of June, 1703.

The

The Abstract.

May the 22 d. 1688.

Then paid into the Treasury of l.
 Her Majesty's Late Royal 5000.
 Father, the Sum of Five Thousand
 Pounds.

Which said Sum of Money was
 Applied and Laid out on the Pub-
 lic Service of her Majesty's King-
 dom, the Effects and Benefit where-
 of, her Majesty now enjoys as
 much, in every Respect, as either
 King James, or King *William* did.

From *May the 22 d. 1688*, to the
22 d. of May 1713, is *25 Years*;
 which at *6 l. per Cent.* is *300 l. per Ann.* 7500.
 So that the very Interest
 thereof for the *25 Years* comes to

The Principal and Interest there-
 of at *6 l. per Cent. per Ann.* comes to, 12500
 on the *22 d. Day of May, 1713*, the
 Sum of *Twelve Thousand and Five*
 Hundred Pounds.

The Incident Charges of Obtaining and
 Passing the Pardon, and Entring Satis-
 faction on Record, as to my Father's, and
 my Fine, came to no small Sum, in those
 very Extraordinary Times: Besides the said
 Five Thousand Pounds paid, as herein be-
 fore set forth.